

**DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF)
CHILD CARE AND DEVELOPMENT FUND
(TRIBES)**

**TERMS AND CONDITIONS
FY 1999**

The Child Care and Development Fund includes funds made available under Section 418 of the Social Security Act, as amended by Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), P.L. 104-193. Title VI of P.L. 104-193 also amended the Child Care and Development Block Grant Act of 1990.

The Child Care and Development Fund consists of two Federal funding sources for Tribes, Tribal Mandatory and Discretionary Funds. Tribes must use these Federal funds in accordance with the requirements of Title VI of PRWORA of 1996.

This award is subject to the following terms and conditions:

1. Tribal Mandatory Child Care Fund

Tribes must administer this program in accordance with their application for Tribal Mandatory Funds for FY 1999. **These funds must be obligated by September 30, 2000 and liquidated by September 30, 2001.** They are 100% Federal funds and no Tribal match is required to use these funds.

Discretionary Child Care Fund

Tribes must administer this program in accordance with their application for Tribal Discretionary funds for FY 1999. **Tribes must obligate funds by September 30, 2000 and liquidate all obligations by September 30, 2001.** Discretionary Child Care Funds are 100% Federal funds and no Tribal match is required.

PASSAGE OF P.L. 105-78

With the passage of P.L. 105-78, additional funds have become available for resource and referral activities and school-age care. Tribal Lead agencies must spend at least the earmarked amount on planning, establishing, operating, expanding, developing, and improving resource and referral activities and child care services for school-age children.

2. Funds used to pay for planning or consultant costs related to construction or major renovation must come from the separate constructions and renovation grant award. However, prior to ACF approval of its construction/renovation application, a tribal Lead Agency may use CCDF funds from its general Tribal Mandatory or

Discretionary grant award for planning or consultation costs; however, once ACF approves the application, a retroactive adjustments must be made to charge these costs to the separate construction and renovation grant award.

3. Tribes must submit an original annual financial status report, ACF-696T, of expenditures within 90 days after the end each fiscal year until all funds are expended. Tribes are encouraged to submit final reports as soon as all funds are expended for a fiscal year.

Mail these reports to:

The Administration for Children and Families
Child Care Bureau
Room 2046, 330 C Street, S.W.
Washington, D.C. 20447

4. These grant funds may not be used to meet the matching requirements of other Federal grant programs.
5. The expenditure of funds under this program is subject to the annual audit requirements under the Single Audit Act of 1984 (P.L. 98-502) and the Office of Management and Budget Circulars A-128 (State Agencies) and A-133 (non-profit entities).
6. Tribes exceeding \$1 million cumulative annual allocations for the Tribal Mandatory Child Care Fund and the Discretionary Child Care Fund will receive quarterly grant awards, at the direction of OMB.
7. Tribes must comply with Public Law 103-227, Part C -Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994. This Act requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State and local governments. Federal programs include grants, cooperative agreements, loans or loan guarantees, and contracts. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug and alcohol treatment.

The Tribe further agrees that the above language will be included in any subawards which contain provisions for children's services and that all subgrantees shall certify compliance accordingly. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to \$1,000 per day.

The U.S. General Accounting Office maintains a toll free telephone number, (800) 424-5454, for receiving information concerning fraud, waste or abuse under grants and cooperative agreements. Such reports are kept confidential, and callers may decline to give their names if they choose to remain anonymous.